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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,836	06/21/2001	Thomas Vincent	1630.002:US	6280

7590

08/19/2002

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EXAMINER

GREEN, BRIAN

ART UNIT

PAPER NUMBER

3611

DATE MAILED: 08/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NUMBER <u>69/868,836</u>	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER <u>6</u>
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DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-41 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-41 is/are rejected.
- ☐ Claim(s) _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3, 4
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

—SEE OFFICE ACTION ON THE FOLLOWING PAGES—

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Claim Rejections - 35 USC § 112

Claims 1-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 15, last line, it is not clear which element is being referred to by "its" and it is not clear what "associated planar portion" the applicant is referring to. In claim 2, line 3 and throughout the rest of the claims, "said planar portion" should apparently be "said at least one planar portion". In claim 2, line 4 and throughout the rest of the claims, "said one planar side" should apparently be "said at least one planar side". In claim 15, last line, it is not clear whether the planar portion is the same as the planar portion defined in claim 1. In claims 16 and 29, line 2, "that shaped" is awkward and confusing. In claims 23 and 36, line 1, it is not clear which free edge the applicant is referring to. In claims 24 and 28, last line, it is not clear which element is being referred to by "its". In claim 28, last line, it is not clear whether the planar portion is the same as the planar portion defined in claim 24. In claim 39, line 2, "first second" is awkward and confusing.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3 and 15-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Partridge (U.S. Patent No. 1,729,961).

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Partridge shows in figures 1-5 a display comprising a polyhedron (10), a backing (11), first and second recesses (12), and first and second flanges (20,21) which are bent more than 90 degrees. In regard to claim 3, as broadly defined, the planar portion of the backing is considered to "conform" to the dimensions of the one planar side. In regard to claim 15, the flange is considered to be bent inwardly about 180 degrees. In regard to claim 17, the recesses (12) are considered to extend from one end to another end and one of the ends is considered to be the top and the other end is considered to be the bottom. In regard to claim 18, as defined, the recesses are considered to be L-shaped. In regard to claim 21, the upper portion of the recesses (12) are arcuate. In regard to claim 23, the free edge of the flanges shown by Partridge would create some bias.

Claims 24 and 39 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

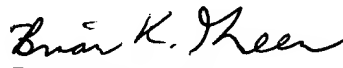
Claims 4-14,25-38, and 40-41 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K. Green whose telephone number is (703) 308-1011. The examiner can normally be reached on Monday-Friday from 7:00 a.m. to 3:30 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson, can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.


BRIAN K. GREEN
PRIMARY EXAMINER

bkg

Aug. 14, 2002